

UNITED STATES DISTRICT COURT

for the
District of New MexicoIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)7 Hughes Blvd,
Grants, NM 87020
(Subject Premises A-13)

Case No. MR 24-1995

FILED
United States District Court
Albuquerque, New Mexico
Mitchell R. Elfers
Clerk of Court

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____ New Mexico
(identify the person or describe the property to be searched and give its location):

See attachment A-13, which is attached hereto and incorporated herein.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See attachment B, which is attached hereto and incorporated herein.

YOU ARE COMMANDED to execute this warrant on or before November 6, 2024 (not to exceed 14 days)
☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Steven C. Yarbrough
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

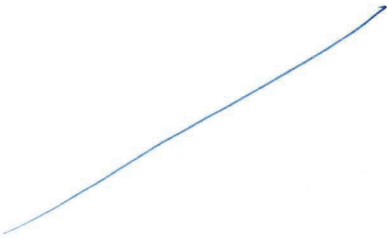
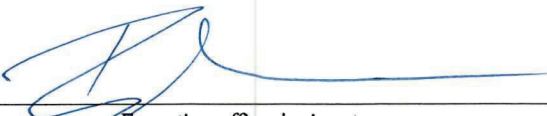
☐ for _____ days (not to exceed 30) ☐ until, the facts justifying, the later specific date of _____

Date and time issued: October 29, 2024 at 7:56 amCity and state: Albuquerque, NM

Judge's signature

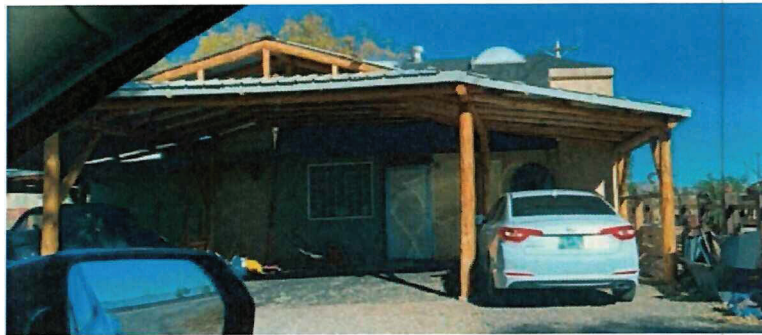
Steven C. Yarbrough, United States Magistrate Judge
Printed name and title

AO 93 (Rev. 11/13) Search and Seizure Warrant (Page 2)

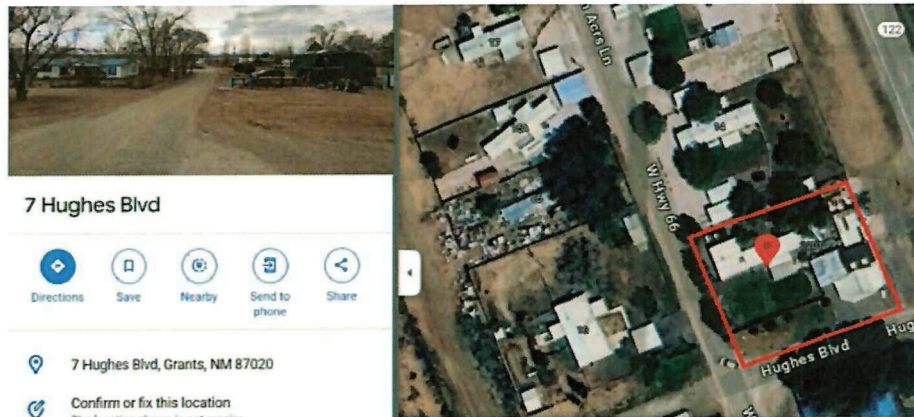
Return		
Case No.: <u>MR 24-1995</u>	Date and time warrant executed: <u>10/30/24 @ 0600 HRS</u>	Copy of warrant and inventory left with: <u>AT RESIDENCE</u>
Inventory made in the presence of: <u>FBI & USMS SEARCH TEAM PERSONNEL</u>		
Inventory of the property taken and name of any person(s) seized:		
<p><u>PROPERTY:</u> CELL PHONE & METHAMPHETAMINE,</p> <p><u>PERSONS:</u> DAVID HICKS WAS ARRESTED BY NMSP OFFICERS FOR POSSESSION OF METHAMPHETAMINE,</p> <p>EMMANLEEN CHAVEZ WAS ARRESTED ON A STATE WARRANT FOR FTA ATTEMPT MURDER,</p> <div style="text-align: center; margin-top: 100px;">  </div>		
Certification		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p>		
Date: <u>10/30/24</u>	<div style="text-align: center;">  <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p style="font-size: small; margin: 0;">Executing officer's signature</p> <p style="margin: 0;"><u>Bryan Acee, FBI SA</u></p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p style="font-size: small; margin: 0;">Printed name and title</p> </div>	

ATTACHMENT A-13
Person and Premises to be Searched

Premises to be Searched: Subject Premises A-13 is located at 7 Hughes Blvd, Grants, NM 87020¹ and may be described as a cabin style residence which is tan, brown, and gray in color with white and wood trim. Color photographs of the Subject Premises are contained below.



Surveillance photographs



Google Streetview photo

¹ There is a large wooden shed which crosses over the property line, from 7 Hughes Blvd, Grants, NM 87020, to the adjoining property, identified as 2201 West Highway 66, Grants, NM 87020. This warrant authorizes agents to search both of the above listed properties, as they share a building.

ATTACHMENT A-13
Person and Premises to be Searched

The search of Subject Premises A-13 shall include the entire residence and all outbuildings, trash cans, and storage containers designated for use by the occupants of the Subject Premises. The search shall also include vehicles parked at, or in front of, the Subject Premises provided such vehicle has an apparent connection to the Subject Premises. Connection to the Subject Premises may be established by way of prior law enforcement observation, vehicle registration, subject admission or possession of an ignition key.

Biometric Access to Devices: During the execution of the search of the premises described herein, law enforcement officers are also specifically authorized to compel any individual, who is found at the Subject Premises and reasonably believed by law enforcement to be a user of the device, to provide biometric features, including pressing fingers (including thumbs) against and/or putting a face before the sensor, or any other security feature requiring biometric recognition, of:

1. Any devices found at the premises, and
2. Where the devices are limited to those which are capable of containing and reasonably could contain fruits, evidence, information, contraband, or instrumentalities of the offense(s) as described in the search warrant affidavit and warrant attachments for the purpose of attempting to unlock the devices' security features in order to search the contents as authorized by this warrant.
3. This warrant authorizes law enforcement personnel to compel any individual, who is found at the Subject Premises and reasonably believed by law enforcement to be a user of the device, to provide biometric features, as described in the preceding paragraph, to access or otherwise unlock any device. Further, this warrant does not authorize law enforcement personnel to request that the individual state or otherwise provide the password or any other means that may be used to unlock or access another person's device(s), including by identifying the specific

ATTACHMENT A-13
Person and Premises to be Searched

biometric characteristics (including the unique finger(s) or other physical features) that may be used to unlock or access the devices.

ATTACHMENT B
Items to be Seized

Items to be Seized: All evidence, fruits, and instrumentalities of violations of: 21 U.S.C. §§ 841(a) Possession with Intent to Distribute Controlled Substances, 843(b) Use of a Communication Facility in Furtherance of Drug Trafficking, 846 Conspiracy to Distribute Controlled Substances, 18 U.S.C. §§ 1956(a)(1) Money Laundering, 1791 Providing or Possessing Contraband in a Jail Facility, 666 Theft or Bribery Concerning Programs Receiving Federal Funds, 371 Conspiracy, and 2 Aiding and Abetting. to include the following:

1. Controlled substances, drug packaging materials, and paraphernalia;
2. Large amounts of United States Currency and expensive jewelry;
3. Articles of property tending to establish the identity of persons in control of premises, vehicles, storage areas, and containers being searched, including utility company receipts, rent receipts, addressed envelopes, and keys;
4. Documentary evidence demonstrating any communication or correspondence with any person or groups of persons involved in transporting, ordering, purchasing, or distributing drugs; smuggling drugs into CCCC; and money laundering;
5. All evidence related to off-site storage units, other residences, safety deposit boxes, etc. where evidence of the Target Offenses may be stored for safekeeping against seizure;
6. Cellular telephones; and
7. All safes or lock boxes, where evidence of the Target Offenses may be stored for safekeeping against seizure.